

UNITED STATES DISTRICT COURT  
Northern District of California

TONY RAY JONES,

No. C 12-1416 MEJ

Plaintiff,

**ORDER RE: OFFICER GARCIA  
DEPOSITION**

v.

CITY OF OAKLAND, et al.,

Defendants.

The Court is in receipt of the parties' Joint Statement of Discovery Issues in Dispute, filed May 31, 2013. Dkt. No. 36. Plaintiff seeks to depose Officer Garcia, whom Defendants agree Plaintiff has a right to depose. However, Defendants state that Officer Garcia's treating medical provider opines that Officer Garcia's recovery would be set back were he to be subject to a deposition at this time. Defendants are willing to make Officer Garcia available for deposition, but need additional time to resolve his treating medical provider's concerns. Upon review of the parties' arguments, the Court ORDERS as follows:

- 1) The parties shall meet and confer by June 11, 2013 for the purpose of determining a date to conduct Officer Garcia's deposition. If medical necessity requires, Officer Garcia's deposition may take place over the course of multiple days. The parties shall file a stipulation regarding Officer Garcia's deposition schedule by June 14, 2013.
- 2) If Officer Garcia's medical provider opines that Garcia is unable to complete the deposition within 30 days, even if it takes place over the course of multiple days, Defendants shall provide a declaration from the medical provider by June 14, 2013.

**IT IS SO ORDERED.**

Dated: June 4, 2013

  
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Maria-Elena James  
United States Magistrate Judge